

LABOUR DEPARTMENT

The 19th December, 1973

No. 12200-4Lab-73/41092.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s United Engineering Works, Panipat.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 129 of 1971

between

SHRI PARBHU DAYAL AND THE MANAGEMENT OF M/S UNITED ENGINEERING
WORKS, PANIPAT.

Present.

Nemo for the workman.

Shri Lakshmi Dutt Sharma, for the management.

AWARD

The following dispute between the management of M/s United Engineering Works, Panipat and its workman Shri Parbhu Dayal was referred to this Court for adjudication,—*vide* order No. ID/KNL/149-A/71 23052-56, dated 27th July, 1971, of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Parbhu Dayal was justified and in order ? If not, to what relief is he entitled ?”

Usual notices were given to the parties and they put in their respective written statements. It is, however, not necessary to go into the merits of the case as an amicable settlement has been arrived at between the parties as per the memorandum of settlement, dated 27th December, 1971, Exhibit M. 1 which is signed by Shri Parbhu Dayal workman concerned and his authorised representative Shri Harish Bagi. From the perusal of the memorandum of settlement it would appear that there is now no dispute left between the parties. A no dispute award is, therefore, made but without any order as to costs.

Dated 6th December, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2660, dated 10th December, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 12202-4 Lab-73/41094.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana Rohtak in respect of the dispute between the workmen and the management of M/s. Panipat Co-operative Sugar Mills Ltd., Panipat.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK

Reference No. 39 of 1973

between

SHRI VIJAY KUMAR AND THE MANAGEMENT OF M/S PANIPAT CO-OPERATIVE
SUGAR MILLS LTD., PANIPAT

Present:—

Shri Vijay Kumar workman himself.

Shri Surinder Kaushal for the management.

AWARD

The following dispute between the management of M/s Panipat Co-operative Sugar Mills, Ltd., Panipat and its workman Shri Vijay Kumar was referred for adjudication to this court,—*vide* order No. ID/KML/13-1-73/19318-23, dated 7th June, 1973 of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Vijay Kumar was justified and in order ? If not, to what relief is he entitled ?”

Usual notices were given to the parties who have arrived at an amicable settlement, as per terms and conditions given in the memorandum of settlement dated 12th November, 1973, copy Exhibit M. 1, on record. The management has taken back the workman concerned on duty as a fresh employee and he has foregone his right for back dues. Statements have been recorded.

In view of the above no further proceedings are called for in the case and the award is made in terms of the above settlement, holding that the workman concerned is entitled to continue in service of the management as a fresh employee in accordance with the terms of his service but not to any back wages. In the circumstances, there shall be no order as to costs.

Dated the 7th December, 1973

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2662, dated the 10th December, 1973.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 12199-4Lab-73/41098.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947. (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Saco Rubber (P) Ltd, Kundli (Sonapat).

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 21 of 1973

between

SHRI DHANBIR SINGH AND THE MANAGEMENT OF M/S SACO RUBBER (P) LTD.,
KUNDLI (SONEPAT)

Present :—

Shri Mohinder Pal Singh, for the management.

Nemo for the workman.

AWARD

By order No. ID/RK/216-A-72/10591-95, dated 14th March, 1973 of the Governor of Haryana, the following dispute between the management of M/s Saco Rubber (P) Ltd., Kundli (Sonapat) and its workman Shri Dhanbir Singh was referred for adjudication to this court in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Dhanbir Singh was justified and in order ? If not, to what relief is entitled ?”

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On receipt of the order of reference, the parties were called upon to put in their respective written statements. The statement of claim on behalf of the workman concerned was filed on 30th July, 1973 but he has not turned up to pursue his claim in person or through his authorised representative. The management has pleaded full and final settlement and as per the statement of its authorised representative Shri Mohinder Pal Singh a sum of Rs. 222.10 found due to the workman as per mutual calculation has been paid to him,—*vide* receipt dated 24th October, 1973 Ex. M. 1. He has also proved an application dated 22nd October, 1973 of Shri Dhanbir Singh concerned workman regarding this settlement which is Ex. M. 2 on record. There is apparently no reason to disbelieve the above plea taken on behalf of the management and the genuineness of the documents referred to above.

In view of the above, no further proceedings are called for in the case and the award is made in terms of the above settlement holding that Shri Dhanbir Singh concerned workman is not entitled to any other relief by way of reinstatement or payment of any other dues. In the circumstances, there shall be no order as to costs.

Dated the 6th December, 1973.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2659, dated 10th December, 1973

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 31st January, 1974

No. 652-4Lab-74/3187.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Globe Steels, Ballabgarh.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 189 of 1970

between

SHRI PRITAM SINGH AND THE MANAGEMENT OF M/S GLOBE STEELS,
BALLABGARH

Present :—

Shri O. P. Gupta, for the management.

Nemo, for the workman.

AWARD

Shri Pritam Singh concerned workman was in the service of M/s Globe Steels, Ballabgarh. His services were terminated by the management with effect from 10th February, 1969 allegedly without any notice, charge-sheet or enquiry. He approached the management for reinstatement but without success. He then gave the demand notice, dated 10th June, 1970 which forms part of the present reference. The conciliation proceedings were initiated which, however, ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana referred the dispute for adjudication to this court *vide* order No. ID/FD/53-A-70/31221-26, dated 7th October, 1970, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, with the following term of reference :—

“Whether the termination of services of Shri Pritam Singh was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties. The management pleaded that the factory had since been closed, the services of the workman had to be terminated. It was further pleaded that Shri Roshan Lal who had signed the statement of claim had no *locus standi* to do so.

The following issues arose for determination in the case:—

1. Whether the statement of claim is liable to be rejected because Shri Roshan Lal has no *locus standi* to sign and varify the same?
2. Whether the reference is not legal because no demand was raised with the management before taking the case for conciliation?

The parties led no evidence. It is however, not necessary to go into the merits of the case as an amicable settlement has been arrived at between the parties and the workman concerned has received payment of Rs. 674.75 from the management in full and final settlement of his entire claims giving up his right of reinstatement or re-employment as per the receipt Ex. M. I., which is signed by him and witnessed by Shri Babar Singh, Security Officer. This receipt has been proved by Shri O. P. Gupta, Head Time-keeper of the management who is also varified the said receipt and identified the signatures of the workman as well as the Security Officer.

It was on the joint request of the parties that the case was adjourned for today to enable them to arrive at an amicable settlement. The workman concerned has not appeared nor his authorised representative to contest the above plea of the management which in the circumstances, has to be believed as being true.

In view of the above, the award is made in term of the above settlement holding that the workman concerned is not entitled to any other relief. There shall be no order as to costs.

Dated the 16th January, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 162, dated the 17th January, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No 801-4Lab-74/3189.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s H. P. Industries, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 101 of 1972

between

SHRI BHAGWATI PARSHAD AND THE MANAGEMENT OF M/S H. P. INDUSTRIES,
FARIDABAD

Present:

Shri S. L. Gupta, for the management.

Nemo, for the workman.

AWARD

The management of M/s H. P. Industries, Faridabad allegedly terminated the services of its workman Shri Bhagwati Parshad with effect from 2nd December, 1971. without assigning any reason. He raised a demand for reinstatement but without success. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, referred the dispute for adjudication to this court, —vide No. ID/FD/72/11259-63, dated 31st March, 1972, with the following term of reference:—

“Whether the termination of services of Shri Bhagwati Parshad was justified and in order ?
If not to what relief is he entitled ?”

The management pleaded that as a matter of fact, this workman was engaged only as a daily rated casual worker and he worked upto 1st December, 1971 and left the job after the collection of his full wages. The workman has not filed any replication to deny the above plea of the management. The management was directed to produce the original voucher of the alleged payment of his dues and the workman was also required to appear today to admit or deny the same. The management has complied with the order of the court and produced the voucher Ex. M. 1 which shows a payment of Rs. 11.50 to the workman in full and final settlement of his entire claims against the management. Shri S. L. Gupta authorised representative of the management has sworn testimony that this is a genuine voucher and bears the signatures of the workman. The workman has however, not turned up to admit or deny the above plea of the management.

In the circumstances, the presumption is irresistible that the workman concerned has, in fact, settled his claim with the management and received his full dues with the result that there is now no dispute left between the parties.

In view of the above, the issue involved is decided against the workman and a no dispute award is given in terms of the above settlement but without any order as to costs.

Dated the 18th January, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 195, dated the 18th/21st January, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 800-4Lab -74/3198.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s H. P. Industries, Faridabad:—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 102 of 1972

between

SHRI SURESH PARSHAD AND THE MANAGEMENT OF M/S H. P. INDUSTRIES,
FARIDABAD

Present:

Shri S. L. Gupta, for the management.

Nemo for the workman.

AWARD

The management of M/s H. P. Industries, Faridabad allegedly terminated the services of its workman Shri Suresh Parshad with effect from 2nd December, 1971 without assigning any reason. He raised a demand for reinstatement but without success. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, referred the dispute for adjudication to this court,—vide order No. ID/FD/72/11253-57, dated the 31st March, 1972, with the following term of reference:—

“Whether the termination of services of Shri Suresh Parshad was justified and in order? If not, to what relief is he entitled?”

The management pleaded that, as a matter of fact, this workman was engaged only as a daily-rated casual worker and he worked up to 1st December, 1971 and left the job after the collection of his full wages. The workman has not filed any replication to deny the above plea of the management. The management was directed to produce the original voucher of the alleged payment of his dues and the workman was also required to appear today to admit or deny the same. The management has complied with the order of the court and produced the voucher Exhibit M/1 which shows a payment of Rs 11.50 paise to the workman in full and final settlement of his entire claims against the management. Shri S. L. Gupta, authorised representative of the management has sworn testimony that this is a genuine voucher and bears the signatures of the workman. The workman has, however, not turned up to admit or deny the above plea of the management.

In the circumstances, the presumption is irresistible that the workman concerned has in fact, settled his claim with the management and received his full dues with the result that there is now no dispute left between the parties.

In view of the above, the issue involved is decided against the workman and a no dispute award is given in term of the above settlement but without any order as to costs.

Dated the 18th January, 1974.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 196, dated the 21st January, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

S. N. BHANOT,
Commissioner for Labour and Employment
and Secretary to Government, Haryana.

EDUCATION DEPARTMENT

The 26th December, 1973

No. 10477-Edu. II-3E-73/36800.—In supersession of Haryana Government Notification No. 7376-Edu. II-3E-73/27706, dated 19th September, 1973, the Governor of Haryana is pleased to constitute a Sitting Committee to assist and guide the Haryana Education Department for determining the scope of work, selection of a suitable site and construction of new building of Government Higher Secondary School, Kaithal (Kurukshetra). The Committee will consist of the following officials as members :—

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| (1) Deputy Director, Colleges | .. Convener |
| (2) Superintending Engineer, P. W. D. B&R, Karnal | .. Member |
| (3) Superintending Engineer, Public Health, Ambala | .. Member |

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| (4) Sub-Divisional Officer (Civil), Kaithal | .. | Member |
| (5) District Education Officer, Kurukshetra | .. | Member |
| (6) Executive Engineer, P.W.D., (B.&R. Br.), Kaithal | .. | Member |
| (7) District Town Planner, Kurukshetra | .. | Member |

2. The Headquarters of the Committee shall be at Kaithal and it will, for the present, function up to six months. The Committee will meet once or twice in a month.

3. The Members of the Committee will be entitled to T.A./D.A. according to normal rules and will draw from their respective departments.

KULWANT SINGH,

Education Commissioner Secretary.

PUBLIC WORKS DEPARTMENT

BUILDINGS & ROADS BRANCH

Gurgaon Circle

The 1st February, 1974

No. G61/2.—Whereas the Governor of Haryana is satisfied that the land specified below is needed by Government, at public expense, for a public purpose, namely, constructing S.D.E.'s Office Storage Godown, Chowkidar and S.D.C. Quarter at Ferozepur Jhirka in Gurgaon District, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt, is hereby directed to take orders of the acquisition of the said land.

Plans of the land may be inspected in the offices of the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt and the Executive Engineer, Nuh Construction Division, P.W.D., B. & R. Branch.

SPECIFICATION

Name of District	Name of Tehsil	Name of Village	Area in Acres	Remarks
Gurgaon	Ferozepur-Jhirka	Ferozepur-Jhirka	2.50	151
				18/2, 18/3, 23, 26
				593
				I, 2, 3, 4
				589, 590, 591
		Total	2.50	

O, P. KAPUR,

Superintending Engineer,
Gurgaon Circle, P.W.D., B. & R. Branch.